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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Christian Salvador Turcios,

No. CV-22-01952-PHX-MTL

Petitioner,

ORDER

V.

David Shinn, et al.,

Respondents.

Before the Court is the Report and Recommendation of Magistrate Judge Michael T. Morrissey (“R & R”) (Doc. 9) recommending that the Petition for Writ of Habeas Corpus be dismissed with prejudice, and that a certificate of appealability and leave to proceed in forma pauperis on appeal be denied. Petitioner has not filed any objections to the R & R. The deadline to do so passed fourteen days following service of the R & R, which was mailed to Petitioner on August 22, 2023.

In reviewing an R & R, the Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). “[T]he district judge must review the magistrate judge's finding and recommendations *de novo if objection is made*, but not otherwise.” *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (emphasis in original); *see Thomas v. Arn*, 474 U.S. 140, 149 (1985) (finding that the District Court need not conduct “any review at all . . . of any issue that is not the subject of an objection”).

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1 No objections having been received, the Court will accept and adopt the R & R in
2 its entirety.

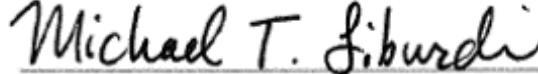
3 Accordingly,

4 **IT IS ORDERED** that the Report and Recommendation (Doc. 9) is **accepted**.

5 **IT IS FURTHER ORDERED** that the Petition for Writ of Habeas Corpus (Doc.
6 1) is **dismissed with prejudice**.

7 **IT IS FURTHER ORDERED** **denying** the issuance of a certificate of
8 appealability and leave to proceed in forma pauperis on appeal because Petitioner has not
9 demonstrated that reasonable jurists could find the ruling debatable or conclude that the
10 issues presented are adequate to deserve encouragement to proceed further. *See Miller-El*
11 *v. Cockrell*, 537 U.S. 322, 327 (2003).

12 Dated this 14th day of November, 2023.

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16 Michael T. Liburdi
17 United States District Judge
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